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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/162,849	09/29/1998	YUMI SUZUKI	FUJA	9310

26304 7590 12/15/2003

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NEW YORK, NY 10022-2585

EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n N .

09/162,849

Applicant(s)

SUZUKI ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communicati n appears on the cover sheet with the correspondenc address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☒ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The Examiner did not receive the prior art reference cited on page 4 of applicant's specification as was requested in the last office action. Examiner requests the said prior art so that this application is fully considered.

The Examiner confirms and acknowledges the receipt of certified copies of priority documents (see PTOL-326).

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 – 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (Hereinafter referred to as APA) in view of German Pat. No 4,333,004 to Wolfgang.**

As to claim 1, APA teaches an SDL Execution Unit (SDL Block 72 page 4 lines 34 – 37), an External Environment Description Unit (Environment Unit 71 page 4 lines 20 – 33, page 5 lines 1 – 28), a pseudo internal signal generator (Signal Generator 74 page 4 lines 20 – 25) and an Operating System (Operation System 73 page 4 lines 20 – 25).

Art Unit: 2126

APA is silent with reference to an adapter that includes a queue manager, connecting the SDL execution unit and external environment description unit through the adapter such that messages, events or parameters are exchanged between them, assigning a single task by the operating system and executing the task so that the pseudo internal generator may transfer the signals between the SDL execution unit and the external environment description unit.

Wolfgang teaches an adapter that includes a queue manager (“...monitor...” page 3 lines 1 – 10, page 4 lines 3 – 17, figure 1), connecting the SDL execution unit and external environment description unit through the adapter such that messages, events or parameters are exchanged between them (Figure 1 page 5 lines 8 – 25, page 6 lines 1 – 25), executing a single task by the operating system (“...single operating system process...” page 4 lines 19 – 25) and executing the task so that the pseudo internal generator may transfer the signals between the SDL execution unit and the external environment description unit (“...monitor...” page 4 lines 14 – 18). It would have been obvious to apply the teaching of Wolfgang to the system of APA. One would have been motivated to make such a modification in order to improve the dynamic propagation time effectiveness (page 5 lines 1 – 4).

As to claim 2, APA teaches the method of receiving information from the external environment description unit and converting signals (signal generator 74/signal receiver 75 page 4 lines 20 – 25). Wolfgang teaches monitoring an internal queue and activating internal queue such that converted signals are transferred to the SDL execution unit (“...monitor...” page 3 lines 1 – 10, page 4 lines 3 – 17As to claim 3, claim 1).

As to claim 3, claim 1 covers claim 3.

### ***Response to Arguments***

2. Applicant's arguments filed 10/1/03 have been fully considered but they are not persuasive.

Applicant argues that the Wolfgang and applicant's admitted prior art (AAPA) references does not teach executing an external environment description unit as a single task of the operating system and does not teach a pseudo internal signal generator.

Although Applicant argues that the Wolfgang and applicant's admitted prior art (AAPA) references does not teach executing an external environment description unit as a single task of the operating system, the argument does not explain how the claimed limitations are not met, more specifically the argument does not address why the mapping of page 4 lines 19 – 25 to the executing step of claim 1 does not cover the claimed limitation.

As for the argument of not teaching a pseudo internal signal generator, AAPA teaches a pseudo internal signal generator (Signal Generator 74 page lines 20 – 25).

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30 am - 6:00 pm) First Friday off.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



**JOHN FOLLANSBEE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

Charles E Anya  
Examiner  
Art Unit 2126